

Revised to reflect amendments adopted through 4-18-13

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2013-14		FY 2014-15	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS		(400,000)		(1,469,919)
CASH FUNDS	400,000		2,069,919	
FEDERAL FUNDS	543,043		2,529,901	
OTHER FUNDS				
TOTAL FUNDS	943,043	(400,000)	4,599,820	(1,469,919)

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

This bill as amended eliminates the distribution of a portion of the revenue from the ICF-MR to the General Fund beginning in FY 14 and all of it in FY 15. The bill also makes clear that the proceeds are to be used as the state match for rates paid to the ICF-MRs. The current distribution is: 1) first, \$55,000 for administration of the fund; 2) second, the amount to reimbursement payment of the tax; 3) \$312,000 for community-based programs for persons with disabilities; 4) fourth, \$600,000 or a lesser amount for rates to non-state operated ICF-MR facilities and 5) fifth, the remainder to the General Fund.

The distribution in the bill in FY 14 is: 1) first, \$55,000 for administration of the fund; 2) second, the amount to reimbursement payment of the tax; 3) third, \$312,000 for community-based programs for persons with developmental disabilities; 4) fourth, \$1,000,000 for rates to non-state operated ICF-MR facilities; and 5) fifth, the remainder to the General Fund.

The distribution in the bill in FY 15 is: 1) first, \$55,000 for administration of the fund; 2) second, the amount to reimbursement payment of the tax; 3) third \$312,000 for community-based programs for persons with developmental disabilities, 4) fourth, the balance to rebase rates paid to ICF-MRs under the Medicaid Program. Any additional proceeds not used for the first four items shall be used to enhance rates for non-state-operated ICF-MRs by increasing the annual inflation factor to the extent allowed by such proceeds and any funds appropriated by the Legislature.

In the chart at the end of this fiscal note, the estimated revenue for FY 13 is shown applying the current statutory distribution compared to proposed distribution in LB 23. In FY 14, the loss to the General Fund is \$400,000. Because current law requires the balance to be deposited into the General Fund after all the other distributions, elimination of the distribution to the General Funds will result in a \$1,469,000 million loss to the General Fund in FY 15 and annually, thereafter.

The increased payments to the non-state operated ICF-MRs would generate \$543,043 in additional federal funds and up to an additional \$2.5 million in federal funds in FY 15 and annually thereafter, assuming the entire amount available is allowed under federal Medicaid rules and regulations.

Current Law				
FY13				
	Mosaic	1,800,000	est	
	BSDC	2,630,762	est	
	Total Revenue	4,430,762		
		Cash Fund	Federal Funds	Total
33	Administration	55,000		55,000
	Repayment of the tax:			
348	Non-State ICF-MR	792,000	968,000	1,760,000
421	BSDC	1,157,535	1,414,765	2,572,300
348	Additional Rate Increase	600,000	733,333	1,333,333
421	Community-Based	312,000		312,000
	Subtotal Expenditures	2,916,535	3,116,099	6,032,634
	Balance to the General Fund	1,514,227		
Change in LB 23 With Committee Amendment				
	Beginning in FY 14			
FY14				
	Mosaic	1,800,000	est	
	BSDC	2,630,762	est	
	Total Revenue	4,430,762		
		Cash Fund	Federal Funds	Total
33	Administration	55,000		55,000
	Repayment of the tax:			
348	Non-State ICF-MR	810,000	990,000	1,800,000
421	BSDC	1,183,843	1,446,919	2,630,762
421	Community-Based	312,000		312,000
348	Additional Rate Increase	1,000,000	1,222,222	2,222,222
	Subtotal Expenditures	3,360,843	3,659,141	7,019,984
	Balance to the General Fund	1,069,919		
	GF Difference from Current	(400,000)		
	Additional Federal Funds		543,043	
	Beginning in FY 15			
FY15				
	Mosaic	1,800,000	est	
	BSDC	2,630,762	est	
	Total Revenue	4,430,762		
		Cash Fund	Federal Funds	Total
33	Administration	55,000		55,000
421	Community-Based	312,000		312,000
	Repayment of the tax:			
348	Non-State ICF-MR	810,000	990,000	1,800,000
421	BSDC	1,183,843	1,446,919	2,630,762
	Subtotal Expenditures	2,360,843	2,436,919	7,070,489
	ICF-MR Fund*	2,069,919	See Below	
	Balance to the General Fund	0		
	Loss to General Fund	1,469,919		
	*Available for Rate Increases	2,069,919	2,529,901	4,599,820